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EXAMINER	
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ART UNIT	PAPER NUMBER
2169	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,184	SCHOENBERG, ROY	
	Examiner	Art Unit	
	KUEN S. LU	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,21-30,41,42 and 53-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,21-30,41,42 and 53-57* is/are rejected.

7)☒ Claim(s) *1-10,21-30,41,42 and 53-57* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The Action is responsive to the Applicant's Amendments filed December 4, 2008. As per Applicant's arguments as filed, please refer to the Paragraph ***Response to Arguments***, for Examiner's responses.

2. Please note claims 1-10, 21-30, 41-42 and 53-57 have been examined and are pending.

Claim Objections

3.1. The claims are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

3.2. Claim 41 is objected to because of the following informalities:

As per claim 41, the claim is phrased with "the server system is configured to" perform action steps which do not positively recite the limitation so preceded is required to be performed by the invention covered by the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4.1. Claims 1-10, 20-30, 41-42 and 53-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lickiss et al.: "ORDER PROCESSING AND REPORTING SYSYTEM FOR TRLRCOMMUNICATIONS CARRIER SERVICES", U.S. Patent 6,104,798, filed February 12, 1998 and issued August 15, 2000, hereafter "Lickiss";, in view of Marchosky: "RECORD SYSTEM", U.S. Patent Application Publication, filed 9/24/2002 and published 3/13/2003.

As per claim 1, Lickiss teaches "A range-conversion method comprising" (See Fig. 3a and col. 9, lines 45-49 where order received is translated into different format): "receiving data records, includes one or more data fields and a field value associated with each data field" (See Fig. 10 and col. 10, lines 32-40 where a customer order is received and it contains many data fields assigned with values).

It is noted that the data records Lickiss received are not medical in which each of the medical data records includes at least a portion of a corresponding patient's medical history.

However, Marchosky teaches a record system where medical records are owned by patient in which each of the medical data records may include various medical history data (See Abstract and [0050]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teaching of Marchosky with Lickiss reference by indexing and access authorizing of Lickiss' records because both references are

directed to provide services and carriers for a great large number of records where records indexes and access authorization would have enhanced Lickiss' system for providing more accurate reports and more timely status on-line data to its clients.

The combined teaching of Marchosky and Lickiss references further teaches the following:

"identifying one or more data fields as a range-based data field" (See Marchosky: Table IV and [0168] where sub-sectors for different degrees of pains are range-based data field);

"defining, by an authorized user who has authorized access to the medical data records, a plurality of text-based range descriptors, wherein each text-based range descriptor is associated with a range of field values for one of the range-based data fields" (See Marchosky: Table IV and [0168] where sub-sectors for different degrees of pains are defined with a range of digital codes, and Lickiss: [0044] where location record is considered for the particular user that defined the record and others authorized based on access level).

As per claim 21, the claim is directed to the computer program product residing on a computer readable medium having a plurality of instructions stored thereon which, when executed by the processor, cause that processor to perform methods of **claim 1**, and therefore rejected along the same rationale.

As per claim 41, the claim is directed to the server system including a computer processor and associated memory having a database that includes data records and the server system performs the steps of **claim 1**, and therefore rejected along the same rationale.

As per claims 2 and 22, the combined teaching of the Marchosky and Lickiss references further teaches "wherein a text-string is associated with a specific data record" (See Lickiss: Fig. 10 and col. 10, lines 32-40 where the LEC Status File is the text-string associated with the specific data record).

As per claims 3 and 23, the combined teaching of the Marchosky and Lickiss references further teaches "wherein the specific data record includes a range-based data field, the range-conversion method further comprising" (See Lickiss: Fig. 10 and col. 10, lines 32-40 where a customer order is received and it contains many data fields):

"incorporating, into the text-string associated with the specific data record, the text-based range descriptor that is associated with the field value of the range-based data field included in the specific data record" (See Lickiss: col. 22, lines 26-31 where validated customer information is converted into a format suitable for provisioning at local carrier exchange entity).

As per claims 4 and 24, the combined teaching of the Marchosky and Lickiss

references further teaches the following:

"generating a text-string for each data record, wherein each text-string includes one or more text-based data descriptors, such that each data descriptor includes" (See Lickiss: Fig. 10 and col. 10, lines 32-40 where the LEC Status File is the text-string associated with the specific data record and more descriptions are generated for the data fields): "a field descriptor that defines a specific data field within the data record to which the text-string is related, and a value descriptor that defines the field value associated with the specific data field" (See Lickiss: Fig. 10 and col. 10, lines 32-40 where descriptions are generated for the data fields and the data fields are assigned with values).

As per claims 5 and 25, the combined teaching of the Marchosky and Lickiss references further teaches "wherein each text-string further includes a record identifier that identifies the data record to which the text-string is related" (See Lickiss: Fig. 9 and col. 9, lines 29-44 where each record is described by field descriptions and all records are described by the header and trailer information).

As per claims 6 and 26, the combined teaching of the Marchosky and Lickiss references further teaches "wherein a specific data record includes a range-based data field, the range-conversion method further comprising" (See Marchosky: Table IV and [0168] where sub-sectors for different degrees of pains are identified with a range of digital codes, a range–based data field and Lickiss: col. 22, lines 26-31 where validated customer information is converted into a format suitable for provisioning at local carrier

exchange entity):

"incorporating, as the value descriptor of the text-string associated with the specific data record, the text-based range descriptor that is associated with the field value of the range-based data field included in the specific data record" (See Lickiss: Fig. 9 and col. 9, lines 29-44 where each record is described by field descriptions and all records are described by the header and trailer information).

As per claims 7 and 27, the combined teaching of the Marchosky and Lickiss references further teaches "wherein each data descriptor includes one or more starting characters, one or more separator characters, and one or more ending characters" (See Lickiss: Fig. 13 and col. 17, 44-59 where data fields start with and end with a character, comma).

As per claims 8 and 28, the combined teaching of the Marchosky and Lickiss references further teaches "wherein the field descriptor is positioned between the separator characters and one of the starting characters and the ending characters" (See Lickiss: Fig. 13 and col. 17, 44-59 where data fields start with and end with a character, comma).

As per claims 9 and 29, the combined teaching of the Marchosky and Lickiss references further teaches "wherein the value descriptor is positioned between the separator characters and the other of the starting characters and the ending characters"

(See Lickiss: Fig. 13 and col. 17, 44-59 where data fields start with and end with a character, comma).

As per claims 10 and 30, the combined teaching of the Marchosky and Lickiss references further teaches "wherein each range of field values is a numeric range" (See Marchosky: Table IV and [0168] where sub-sectors for different degrees of pains are identified with a range of digital codes, a range–based data field, for example, sharp pain is in the range between 00000000041 to 00000000050).

As per claim 42, the combined teaching of the Marchosky and Lickiss references further teaches "The searching system of claim 41 wherein the server system is coupled to a distributed computing network" (See Marchosky: Fig. 1 where a central computer is coupled to a network).

As per claims 53 and 56, the combined teaching of the Marchosky and Lickiss references further teaches "wherein each of the defined text-based range descriptors represents a corresponding medical status of the patient reflected by field values contained in the range of field values associated with the text-based range descriptor" (See Marchosky: Table IV and [0168] where sub-sectors for different degrees of pains are described in text and ranged in textual digital codes, a range–based data field which is a medical status of patients, for example, sharp pain).

As per claims 54 and 57, the combined teaching of the Marchosky and Lickiss references further teaches "wherein said authorized user comprises an authorized medical service provider of a patient" (See Marchosky: [0044] where location record is considered for the particular user that defined the record and others authorized based on access level).

As per claim 55, the combined teaching of the Marchosky and Lickiss references further teaches "The range-conversion method of claim 54 wherein said medical records are stored to a computer-based repository, and wherein said authorized medical service provider possesses an access key for the patient that permits access to at least a portion of the patient's medical records" (See Marchosky: [0044] where location record is considered for the particular user that defined the record and other users of the service provider system authorized based on access level).

Response to Arguments

5. The Applicant's arguments filed on 2/4/2008 have been considered and please see discussions below:

45.1. Concerning drawings, the "objected to" box in the previous office action summary was checked by mistake. Examiner respectfully corrected it in the instant action summary and accepted the drawings.

5.2. In the arguments as filed, Applicant's argued that the Lickiss and Brown references are of different technical areas and the combined teaching of the

references fails to provide teaching of text-based range descriptors for a range-based data field of medical record.

With respect to the above argument and further based on amendments made to the claims, Examiner has replaced Brown reference with Marchosky in the instant rejections. Examiner also respectfully noted that Marchosky and Lickiss are of different technical areas, however, both references are directed to servicing a large number of records and Marchosky's automatic records indexing would have enhanced Lickiss' system as an online service provider in which accuracy reporting and timely service are of great importance.

5.3. With respect to other arguments, Examiner respectfully submits that all claims have been interpreted as broad as possible, however, the interpretation is believed reasonable. Keep this in Examiner's mind, the newly added claims 53-57 have been rejected accordingly.

References

6.1. The prior art made of record

A. U. S. Patent 6,104,798

J. U. S. Patent Application Publication 2003/0050803 A1

6.2. The (prior) art made of record and not relied upon is considered pertinent to Applicant's disclosure.

B. U. S. Patent 6,643,644

C. U.S. Patent Application Publication 2003/0101238 A1

D. U. S. Patent 5,249,169

E. U. S. Patent 5,579,407

F. U. S. Patent Application Publication 2003/0120622 A1

G. U. S. Patent 6,154,466

H. U. S. Patent 6,110,224

I. U. S. Patent Application Publication 2002/0171673 A1

Conclusions

7. Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1 .136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to KUEN S. LU whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, Pierre Vital can be reached on (571)-272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 Published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should You have questions on access to the Private PAIR system; contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KUEN S. LU /Kuen S Lu/ Art Unit 2169

Primary Patent Examiner March 27, 2009